

# **CALFRESH (CF) PROGRAM**

## **REQUEST FOR POLICY/REGULATION INTERPRETATION**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		11/12/15	ASAP
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:		Contra Costa County	
4. REGULATION CITE(S):		7. SUBJECT:	
63-402.1; 63-402.3		Household composition	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references)	
Two clients living in the same household came in to apply for CalFresh as separate HH claiming that they purchase and prepare separately. However these two clients have a foster child placed in their care as a couple. The child is woman's niece and of no relationship to the man. They are not however in receipt of Foster care payments and were advised to apply for CW but declined. It has been confirmed that the child was place with both of them. She works but he has a taken a leave of absence to take care of the child. It is difficult to decide how to treat them since they are not biological parents but are unmarried foster parents. Since they are both responsible for the child should they be one HH or can he be allowed to keep his separate HH status.		NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
		63-402	

Since she is not in receipt of FC payments do we even consider the child a foster care child or regular child living with a relative? If so then could we grant the aunt and niece as one HH and the gentleman separate HH status?

### 10. REQUESTOR'S PROPOSED ANSWER:

We should be able to grant them separate HH status since they are not married and the child is related only to the aunt.

### 11. STATE POLICY RESPONSE (CFPB USE ONLY):

No, separate household status cannot be granted per MPP 63-402.141(a) which states, "a foster child placed by a federal, state, or local government program in the private home of a relative, or other individual or family, shall be considered a boarder. Such a boarder may participate in the Food Stamp Program only by request of the household providing boarder services, and only as a member of that household. Since the child has been placed in the care of both adults the child cannot be in a separate CF household from either. Therefore, they all three are required to be in the same CF household.

### FOR CDSS USE

DATE RECEIVED:

11/12/2015

DATE RESPONDED TO COUNTY/ALJ:

SV (11/13/2015)